

## **REMARKS**

Claims 1-80 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Section 121 Restriction:**

In the Action mailed March 17, 2010, the Examiner required restriction to one of three inventions. As stated in the Action, the restriction requirement is based on MPEP 806.05(d) as subcombinations disclosed as usable together in a single combination. However, the Decision on Petition mailed August 24, 2009 has already ruled that the claims of the present application are not restrictable under MPEP 806.05(d). Therefore, the present restriction requirement is invalid. In a telephone conversation on April 6, 2010, Examiner Shaw agreed to withdraw the restriction requirement and examine all claims.

## **CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-66300/RCK.

Respectfully submitted,

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